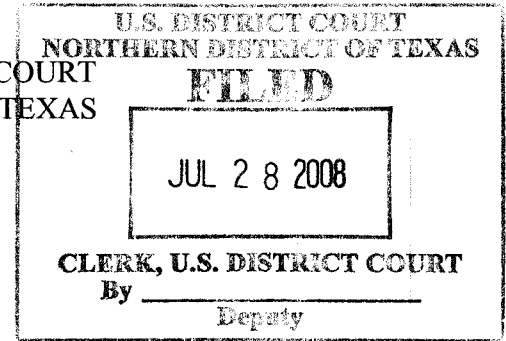


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



CLAYBORN SETH VINCENT,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:07-CV-0173

ORDER ADOPTING REPORT AND RECOMMENDATION
and DENYING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a writ of habeas corpus by a person in state custody. On December 14, 2007, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be dismissed for failure to prosecute. On January 8, 2008, petitioner filed objections. On February 5, 2008, the Magistrate Judge issued an Order Withdrawing Report and Recommendation. On June 30, 2008, the Magistrate Judge issued a new Report and Recommendation in this cause, recommending therein that the instant habeas application be denied. As of this date, no objections to the Magistrate Judge's Report and Recommendation have been filed of record.¹

Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, the petition for a writ of habeas corpus is hereby DENIED.

IT IS SO ORDERED.

ENTERED this 28th day of July 2008.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE

¹The copy of the Report and Recommendation forwarded to petitioner was returned on July 18, 2008, with the notation "Attempted Not Known, Not at Address."